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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-79

13 **KATHLEEN ROSE ROBERTSON, AKA**  
14 **KATHLEEN ROSE RAUGUST**

**A C C U S A T I O N**

15 P.O. Box 3686  
Santa Cruz, California 95063

16 Registered Nurse License No. 483750

Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation  
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,  
21 Department of Consumer Affairs.

22 2. On or about August 31, 1992, the Board of Registered Nursing issued  
23 Registered Nurse License Number 483750 to Kathleen Rose Robertson, also known as Kathleen  
24 Rose Raugust (Respondent). The Registered Nurse License was in full force and effect at all  
25 times relevant to the charges brought herein and will expire on September 30, 2010, unless  
26 renewed.  
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## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

## STATUTORY PROVISIONS

6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

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7. Code section 2762 states:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

...

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section.

8. Section 4022 of the Code provides:

"Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in humans or animals, and includes the following:

(a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without prescription," "Rx only," or words of similar import.

(b) Any device that bears the statement: "Caution: federal law restricts this device to sale by or on the order of a \_\_\_\_\_," "Rx only," or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

9. Code section 4059, subdivision (a), provides, in pertinent part, that "[n]o person shall furnish any dangerous drug, except upon the prescription of a physician . . ."

10. Code section 4060 provides, in pertinent part that "[n]o person shall possess any controlled substance, except that furnished to a person upon the prescription of a physician . . ."

11. Code section 4140 provides that: "No person shall possess or have under his or her control any hypodermic needle or syringe except when acquired in accordance with this article."

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12. Health and Safety Code section 11173, subdivision (a), provides:

No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by concealment of a material fact.

### COST RECOVERY

13. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

### DRUGS AND DEVICES

14. **Cocaine** is a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (f)(6), a dangerous drug within the meaning of Business and Professions Code section 4022, and is a narcotic.

15. **Crack** is the street name for methyl benzoyllecgonine, or cocaine processed with ammonia or sodium bicarbonate. It is a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (f)(6), and a narcotic.

16. **Fentanyl** is a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (c)(8), and a dangerous drug within the meaning of Code section 4022.

17. **Morphine Sulfate** is a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b)(1)(M), and a dangerous drug within the meaning of Code section 4022.

18. **"Hypodermic needle"** is a dangerous device pursuant to Code section 4022 in that the device cannot be dispensed without a prescription under federal law.

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**FACTUAL STATEMENT**

19. From on or about April 24, 2002 to December 9, 2005, Respondent worked as a registered nurse at Dominican Hospital located in Santa Cruz, California. During the course of her employment, Respondent committed the following acts:

a. **PATIENT 1<sup>1</sup>:** On or about July 9, 2005, at approximately 0729 hours, Respondent obtained a 4-ml vial of Cocaine 4% from the PYXIS<sup>2</sup> system, via an override action, for administration to Patient 1, without a physician's order to do so. Respondent failed to chart the administration of the medication, the effects of the medication, and failed to chart wastage or otherwise account for the medication.

b. **PATIENT 2:** On or about July 10, 2005, at approximately 0719 hours, Respondent obtained a 4-ml vial of Cocaine 4% from the PYXIS system, via an override action, for administration to Patient 2, without a physician's order to do so. Respondent failed to chart the administration of the medication, the effects of the medication, and failed to chart wastage or otherwise account for the medication.

c. **PATIENT 3:** On or about August 23, 2005, at approximately 1858 hours, Respondent obtained a 4-ml vial of Cocaine 4% from the PYXIS system, via an override action, for administration to Patient 3, without a physician's order to do so. Respondent failed to chart the administration of the medication, the effects of the medication, and failed to chart wastage or otherwise account for the medication.

d. **PATIENT 4:** On or about August 31, 2005, at approximately 1104 hours, Respondent obtained a 4-ml vial of Cocaine 4% from the PYXIS system, via an override action, for administration to Patient 4, without a physician's order to do so. Respondent failed to chart the time that the medication was administered.

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1. All patients are identified by numbers in order to preserve patient confidentiality. The medical record numbers of these patients will be disclosed pursuant to a request for discovery.

2. PYXIS is a system for the automated dispensing and management of medications at the point of use in hospital settings.

On or about August 31, 2005, at approximately 1247 hours, Respondent obtained a 4-ml vial of Cocaine 4% from the PYXIS system, via an override action, for administration to Patient 4, without a physician's order to do so. Respondent failed to chart the administration of the medication, the effects of the medication, and failed to chart wastage or otherwise account for the medication. At approximately 1721 hours, Respondent accessed the PYXIS system to report the waste of a 4-ml vial of Cocaine 4% for Patient 4. However, this was not done in a timely manner.

e. **PATIENT 5:** On or about September 3, 2005, at approximately 1049 hours, Respondent obtained a 4-ml vial of Cocaine 4% from the PYXIS system, via an override action, for administration to Patient 5, without a physician's order to do so. Respondent failed to chart the administration of the medication, the effects of the medication, and failed to chart wastage or otherwise account for the medication.

f. **PATIENT 6:** On or about September 3, 2005, at approximately 1049 hours, Respondent obtained a 4-ml vial of Cocaine 4% from the PYXIS system, via an override action, for administration to Patient 6, without a physician's order to do so. Respondent failed to chart the administration of the medication, the effects of the medication, and failed to chart wastage or otherwise account for the medication.

g. **PATIENT 7:** On or about July 10, 2005, at 1610 hours, Patient 7's physician ordered 4-mg of Morphine IV to be administered. At approximately 1611 hours, Respondent obtained an 8-mg/1-ml syringe of Morphine Sulfate from the PYXIS system, via an override action, for administration to Patient 7. However, Respondent failed to administer the medication and failed to chart the waste in a timely manner in that she charted that she did not administer 4-mg of the medication until 1638 hours and it was not until 1653 hours that she reported the waste of the remaining medication.

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1                   h.       **PATIENT 8:** On or about July 10, 2005, at 1800 hours, Patient 8's  
2 physician ordered 2-mg of Morphine Sulfate IV to be administered. At approximately 1850  
3 hours, Respondent obtained an 8-mg/1-ml syringe of Morphine Sulfate from the PYXIS system,  
4 via an override action, for administration to Patient 8. However, Respondent failed to chart the  
5 effects of the medication.

6                   i.       **PATIENT 9:** On or about July 13, 2005, at 0746 hours, Patient 9's  
7 physician ordered 4-mg of Morphine Sulfate IV to be administered every 2 to 5 minutes as  
8 needed for pain. At approximately 0745, 0820, and 0925 hours, Respondent obtained an 8-mg/1-  
9 ml syringe of Morphine Sulfate from the PYXIS system, via override actions, for administration  
10 to Patient 9. At 0805, 0809, 0820, 0939, 0945, 094(illegible), and 1103 hours, Respondent  
11 charted the administration of 4-mg of Morphine Sulfate but failed to complete the ED Treatment  
12 and Medical Decision Making notes. At 0858 hours, Respondent reported the waste of 4-mg of  
13 the medication. Respondent obtained a 24-mg total of the medication but charted the  
14 administration and the waste totaling 32-mg of the medication.

15                  j.       **PATIENT 10:** On or about July 20, 2005, at 1040 and 1115 hours, Patient  
16 10's physician ordered 25-mcg/2-ml of Fentanyl to be administered. At 1050 and 1115 hours,  
17 Respondent charted the administration of 25-mcg of Fentanyl. However, at 1120 hours, in the  
18 PYXIS system, Respondent reported the waste of 25-mcg and the administration of 75-mcg.  
19 Respondent reported the administration of an amount of medication that exceeded the  
20 physician's orders, failed to account for the remaining uncharted 25-mcg, and failed to chart the  
21 effects of the medication.

22                  k.       **PATIENT 11:** On or about August 10, 2005, at approximately 1311  
23 hours, Patient 11's physician ordered 2 to 4-mg of Morphine Sulfate IV to be administered. At  
24 1255 hours and preceding the physician's order, Respondent obtained a 4-mg/1-ml syringe of  
25 Morphine Sulfate from the PYXIS system, via an override action, for administration to Patient  
26 11. At 1315 hours, Respondent charted the administration of 2-mg of the medication but failed  
27 to chart wastage or otherwise account for the remaining 2-mg of the medication and failed to  
28 chart the effects of the medication.

1                   1.       **PATIENT 12:** On or about August 19, 2005, at approximately 1230  
2 hours, Patient 12's physician ordered 50-mcg of Fentanyl IV to be administered. At 1229 hours,  
3 Respondent obtained a 100-mcg/2-ml dose of Fentanyl from the PYXIS system, via an override  
4 action, for administration to Patient 12. It was not until 1250 hours that Respondent charted the  
5 administration of 50-mcg of the medication and Respondent failed to chart the effects of the  
6 medication. Respondent did not report the waste of the remaining 50-mcg of the medication  
7 until 1503 hours.

8                   20.       Respondent admitting to diverting Cocaine from Patients 2, 4, 5, and 6 and  
9 to self administering Cocaine while at work and at home. She also admitted to taking used  
10 hypodermic needles from Dominican Hospital. Respondent admitted to using Crack in July 2005  
11 and on December 13, 2005.

12                   21.       On or about September 12, 2005, Respondent signed a Dominican  
13 Hospital Return to Work Agreement, requiring that Respondent abstain from the use of unlawful  
14 drugs and controlled substances. However, on September 15, 2005, Respondent tested positive  
15 for Cocaine. On December 12, 2005, Respondent was terminated by Dominican Hospital,  
16 effective on December 9, 2005.

17                                   **FIRST CAUSE FOR DISCIPLINE**

18                                   **(Unprofessional Conduct: Obtaining and/or Possessing**  
19                                   **Controlled Substances or Dangerous Drugs)**

20                   22.       Respondent's registered nurse license is subject to discipline under Code  
21 section 2761, subdivision (a), for unprofessional conduct, as defined by Code section 2762,  
22 subdivision (a), in that while employed as a registered nurse at Dominican Hospital in Santa  
23 Cruz, California, she committed the following acts, as set forth in Paragraphs 19-21, above:

24                   a.       Respondent unlawfully obtained and possessed the following controlled  
25 substances in violation of Code section 4060: Cocaine, Fentanyl, and Morphine Sulfate.

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1                   b.       Respondent unlawfully obtained the following controlled substances by  
2 fraud, deceit, misrepresentation, subterfuge and/or by the concealment of a material fact, in  
3 violation of Health and Safety Code section 11173, subdivision (a): Cocaine, Fentanyl, and  
4 Morphine Sulfate.

5                   c.       Respondent unlawfully obtained and possessed the following dangerous  
6 drugs in violation of Code section 4059, subdivision (a): Cocaine, Fentanyl, and Morphine  
7 Sulfate.

8                   d.       Respondent unlawfully obtained and possessed the following dangerous  
9 devices in violation of Code section 4140: hypodermic needles.

10                                   **SECOND CAUSE FOR DISCIPLINE**

11                                   **(Unprofessional Conduct: Using Controlled Substances and**  
12                                   **Dangerous Drugs in a Dangerous Manner)**

13                   23.       Respondent's registered nurse license is subject to discipline under Code  
14 section 2761, subdivision (a), for unprofessional conduct, as defined by Code section 2762,  
15 subdivision (b), in that while employed as a registered nurse at Dominican Hospital in Santa  
16 Cruz, California, she admittedly used controlled substances, dangerous drugs, and dangerous  
17 devices to an extent or in a manner dangerous or injurious to herself, any other person, or the  
18 public or to the extent that such use impaired her ability to conduct with safety to the public the  
19 practice authorized by her license, as set forth in Paragraphs 19-21, above.

20                                   **THIRD CAUSE FOR DISCIPLINE**

21                                   **(Unprofessional Conduct: Falsify or Make Incorrect or Inconsistent Entries in Records)**

22                   24.       Respondent's registered nurse license is subject to discipline under Code  
23 section 2761, subdivision (a), for unprofessional conduct, as defined by Code section 2761,  
24 subdivision (e), and Health and Safety Code section 11190, in that while employed as a  
25 registered nurse at Dominican Hospital in Santa Cruz, California, she made false, grossly  
26 incorrect, and/or grossly inconsistent entries in hospital, patient, or other records pertaining to  
27 controlled substances and dangerous drugs as set forth in Paragraph 19, above.

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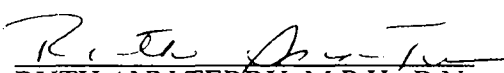
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DATED: 12/7/08

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

SF2008402130

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**KATHLEEN ROSE RAUGUST**  
P. O. Box 3686  
Santa Cruz, CA 95063  
Registered Nurse License No. 483750,

Respondent.

Case No. 2002-33

OAH No. N2001090306

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing of the Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on April 24th, 2002.

It is so ORDERED March 25th, 2002.

*Landra R. Erickson*

\_\_\_\_\_  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

1 BILL LOCKYER, Attorney General  
of the State of California  
2 CHAR MEANEY, State Bar No. 161032  
Deputy Attorney General  
3 California Department of Justice  
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4 San Francisco, California 94102  
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5 Facsimile: (415) 703-5480  
6 Attorneys for Complainant

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **KATHLEEN ROSE RAUGUST**  
P. O. Box 3686  
13 Santa Cruz, CA 95063  
Registered Nurse License No. 483750,

14 Respondent.  
15

Case No. 2002-33

OAH No. N2001090306

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
18 above-entitled proceedings that the following matters are true:

19  
20 **PARTIES**

21 1. Complainant Ruth Ann Terry, M.P.H., R.N. is the Executive Officer of the  
22 Board of Registered Nursing. She brought this action solely in her official capacity and is  
23 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Char  
24 Meaney, Deputy Attorney General.

25 2. Respondent Kathleen Rose Raugust ("Respondent") is represented in this  
26 proceeding by attorney Gordon J. Salisbury, Esq., whose address is 605 Center Street, Santa  
27 Cruz, CA 95060.

28 3. On or about August 31, 1992, the Board of Registered Nursing issued

1 Registered Nurse License Number 483750 to Respondent. The Registered Nurse License was in  
2 full force and effect at all times relevant to the charges brought and will expire on September 30,  
3 2002, unless renewed.

#### 4 JURISDICTION

5 4. Accusation No. 2002-33 was filed before the Board of Registered Nursing  
6 of the Department of Consumer Affairs, ("Board"), and is currently pending against Respondent.  
7 The Accusation, together with all other statutorily-required documents, was duly served on  
8 Respondent on September 5, 2001, and Respondent timely filed her Notice of Defense contesting  
9 the Accusation. A copy of Accusation No. 2002-33 is attached as Exhibit A and incorporated  
10 herein by reference.

#### 11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read and discussed with her counsel the nature of  
13 the charges and allegations in the Accusation and the effects of this Stipulated Settlement and  
14 Disciplinary Order.

15 6. Respondent is fully aware of her legal rights in this matter, including the  
16 right to a hearing on the charges and allegations in the Accusation, the right to be represented by  
17 counsel at her own expense, the right to confront and cross-examine the witnesses against her,  
18 the right to present evidence and to testify on her own behalf, the right to the issuance of  
19 subpoenas to compel the attendance of witnesses and the production of documents, the right to  
20 reconsideration and court review of an adverse decision, and all other rights accorded by the  
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly and intelligently waives and gives up  
23 each and every right set forth above.

#### 24 CULPABILITY

25 8. Respondent understands that the charges and allegations in the  
26 Accusation, if proven at a hearing, constitute cause for imposing discipline upon her Registered  
27 Nurse License.  
28

9. Respondent admits the truth of each and every charge and allegation in the Accusation No. 2002-33.

10. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the Order below.

CIRCUMSTANCES IN MITIGATION

11. Respondent has never been the subject of any disciplinary action. She has admitted responsibility at an early stage in the proceedings.

## CONTINGENCY

12. This stipulation shall be subject to the approval of the Board. Respondent understands and agrees that Board of Registered Nursing's staff and counsel for Complainant may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. If the Board fails to adopt this stipulation as its Order, except for this paragraph the Stipulated Settlement and Disciplinary Order shall be of no force or effect, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the original Stipulated Settlement and Disciplinary Order and signatures.

14. Each term and condition of probation contained herein is a separate and distinct term and condition. If any term and condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each term and condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board shall, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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1 Board's Probation Program. Respondent shall immediately execute all release of information  
2 forms as may be required by the Board or its representatives.

3 **PROVIDE DECISION** - Respondent shall provide a copy of this decision to the  
4 nursing regulatory agency in every state and territory in which she has a registered nurse license.

5 **6. FUNCTION AS A REGISTERED NURSE** - Respondent, during the period  
6 of probation, shall engage in the practice of registered nursing in California for a minimum of 24  
7 hours per week for 6 consecutive months or as determined by the Board.

8 For purposes of compliance with the section, "engage in the practice of registered  
9 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or  
10 work in any non-direct patient care position that requires licensure as a registered nurse.

11 The Board may require that advanced practice nurses engage in advanced practice  
12 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the  
13 Board.

14 If Respondent has not complied with this condition during the probationary term,  
15 and the Respondent has presented sufficient documentation of her good faith efforts to comply  
16 with this condition, and if no other conditions have been violated, the Board, in its discretion,  
17 may grant an extension of the Respondent's probation period up to one year without further  
18 hearing in order to comply with this condition.

19 **7. EMPLOYMENT APPROVAL AND REPORTING REQUIREMENTS** -  
20 Respondent shall obtain prior approval from the Board before commencing any employment,  
21 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
22 performance evaluations and other employment related reports as a registered nurse upon request  
23 of the Board.

24 Respondent shall provide a copy of this decision to her employer and immediate  
25 supervisor prior to commencement of any nursing or other health care related employment.

26 Respondent shall notify the Board in writing within seventy-two (72) hours after  
27 she obtains any nursing or other health care related employment, when such employment is not  
28 as a registered nurse. Respondent shall notify the Board in writing within seventy-two (72) hours

1 after she is terminated from any registered nursing, other nursing, or other health care related  
2 employment with a full explanation of the circumstances surrounding the termination.

3           **8. SUPERVISION** - Respondent shall obtain prior approval from the Board  
4 regarding Respondent's level of supervision and/or collaboration before commencing any  
5 employment as a registered nurse. Respondent shall practice only under the direct supervision of  
6 a registered nurse in good standing (no current discipline) with the Board of Registered Nursing,  
7 unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice  
8 nurse or physician) are approved.

9           Respondent's level of supervision and/or collaboration may include, but is not  
10 limited to the following:

11           (a) **Maximum** - The individual providing supervision and/or collaboration is present in  
12 the patient care area or in any other work setting at all times.

13           (b) **Moderate** - The individual providing supervision and/or collaboration is in the  
14 patient care unit or in any other work setting at least half the hours Respondent works.

15           (c) **Minimum** - The individual providing supervision and/or collaboration has person-  
16 to-person communication with Respondent at least twice during each shift worked.

17           (d) **Home Health Care** - If Respondent is approved to work in the home health care  
18 setting, the individual providing supervision and/or collaboration shall have person-to-person  
19 communication with Respondent as required by the Board each work day. Respondent shall  
20 maintain telephone or other telecommunication contact with the individual providing supervision  
21 and/or collaboration as required by the Board during each work day. The individual providing  
22 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits  
23 to patients' homes visited by the Respondent with or without Respondent present.

24           **9. EMPLOYMENT LIMITATIONS** - Respondent shall not work for a nurse's  
25 registry, in any private duty position as a registered nurse, a temporary nurse placement agency,  
26 or for an in-house nursing pool. Respondent shall not work for a licensed home health agency as  
27 a visiting nurse unless the registered nursing supervision and other protections for home visits  
28 have been approved by the Board. Respondent shall not work in any other registered nursing

1 occupation where home visits are required.

2 Respondent shall not work in any health care setting as a supervisor of registered  
3 nurses. The Board may additionally restrict Respondent from supervising licensed vocational  
4 nurses and/or unlicensed assistive personnel on a case-by-case basis.

5 Respondent shall not work as a faculty member in an approved school of nursing  
6 or as an instructor in a Board approved continuing education program.

7 Respondent shall work only on a regularly assigned, identified and predetermined  
8 worksite(s) and shall not work in a float capacity.

9 If the Respondent is working or intends to work in excess of 40 hours per week,  
10 the Board may request documentation to determine whether there should be restrictions on the  
11 hours of work.

12 **10. COMPLETE A NURSING COURSE(S)** - Respondent, at her own expense,  
13 shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no  
14 later than six months prior to the end of her probationary term.

15 Respondent shall obtain prior approval from the Board before enrolling in the  
16 course(s). Respondent shall submit to the Board the original transcripts or certificates of  
17 completion for the above required course(s). The Board shall return the original documents to  
18 Respondent after photocopying them for its records.

19 **11. COST RECOVERY** - Respondent shall pay to the Board costs associated  
20 with its investigation and enforcement pursuant to Business and Professions Code Section 125.3  
21 in the amount of \$7,000.00. Respondent shall be permitted to pay these costs in a payment plan  
22 approved by the Board, with payments to be completed no later than three months prior to the  
23 end of the probation term.

24 **12. PHYSICAL EXAMINATION** - Within 45 days of the effective date of this  
25 decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or  
26 physician assistant, who is approved by the Board before the assessment is performed, submit an  
27 assessment of the Respondent's physical condition and capability to perform the duties of a  
28 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If

1 medically determined, a recommended treatment program will be instituted and followed by the  
2 Respondent with the physician, nurse practitioner, or physician assistant providing written  
3 reports to the Board on forms provided by the Board.

4           If Respondent is determined to be unable to practice safely as a registered nurse,  
5 the licensed physician, nurse practitioner, or physician assistant making this determination shall  
6 immediately notify the Probation Program and Respondent by telephone. Respondent shall  
7 immediately cease practice and shall not resume practice until notified by the Probation Monitor.  
8 During this period of suspension, Respondent shall not engage in any practice for which a license  
9 issued by the Board is required until the Probation Monitor has notified Respondent that a  
10 medical determination permits Respondent to resume practice.

11           **13. PARTICIPATE IN TREATMENT/REHABILITATION PROGRAM**

12 **FOR CHEMICAL DEPENDENCE** - Respondent, at her expense, shall successfully complete  
13 during the probationary period or shall have successfully completed prior to commencement of  
14 probation a Board-approved treatment/rehabilitation program of at least six months. As required,  
15 reports shall be submitted by the program on forms provided by the Board. If Respondent has  
16 not completed a Board-approved treatment/rehabilitation program prior to commencement of  
17 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in  
18 a program. If a program is not successfully completed within the first nine months of probation,  
19 the Board shall consider Respondent in violation of probation.

20           Based on Probation Program recommendation, each week Respondent shall be  
21 required to attend at least one, but no more than five 12-step recovery meetings or equivalent  
22 (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as  
23 approved and directed by the Board. If a nurse support group is not available, an additional 12  
24 step meeting or equivalent shall be added. Respondent shall submit dated and signed  
25 documentation confirming such attendance to the Board during the entire period of probation.  
26 Respondent shall continue with the recovery plan recommended by the treatment/rehabilitation  
27 program or a licensed mental health examiner and/or other ongoing recovery groups.

28 ///

1                   **14. ABSTAIN FROM USE OF PSYCHOTROPIC (MOOD-ALTERING)**

2   **DRUGS** - Respondent shall completely abstain from the possession, injection or consumption by  
3 any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are  
4 ordered by a health care professional legally authorized to do so and are part of documented  
5 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)  
6 days, by the prescribing physician or dentist, a report identifying the medication, dosage, the date  
7 the medication was prescribed, the Respondent's prognosis, the date the medication will no  
8 longer be required, and the effect on the recovery plan, if appropriate.

9                   Respondent shall identify for the Board a single physician, nurse practitioner or  
10 physician assistant who shall be aware of Respondent's history of substance abuse and will  
11 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled  
12 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician  
13 assistant shall report to the Board on a quarterly basis Respondent's compliance with this  
14 condition. If any substances considered addictive have been prescribed, the report shall identify a  
15 program for the time limited use of any such substances.

16                  The Board may require the single coordinating physician, nurse practitioner, or  
17 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in  
18 addictive medicine.

19                  **15. SUBMIT TO TESTS AND SAMPLES** - Respondent, at her expense, shall  
20 participate in a random, biological fluid testing or a drug screening program which the Board  
21 approves. The length of time and frequency will be subject to approval by the Board. The  
22 Respondent is responsible for keeping the Board informed of Respondent's current telephone  
23 number at all times. Respondent shall also ensure that messages may be left at the telephone  
24 number when she is not available and ensure that reports are submitted directly by the testing  
25 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately  
26 to the Board by the program and the Respondent shall be considered in violation of probation.  
27 In addition, Respondent, at any time during the period of probation, shall fully cooperate with the  
28 Board or any of its representatives, and shall, when requested, submit to such tests and samples

1 as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics,  
2 dangerous drugs, or other controlled substances.

3 If Respondent has a positive drug screen for any substance not legally authorized  
4 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the  
5 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent  
6 from practice pending the final decision on the petition to revoke probation or the accusation.

7 **16. MENTAL HEALTH EXAMINATION** - The Respondent shall, within 45  
8 days of the effective date of this decision, have a mental health examination including  
9 psychological testing as appropriate to determine her capability to perform the duties of a  
10 registered nurse. The examination will be performed by a psychiatrist, psychologist or other  
11 licensed mental health practitioner approved by the Board. The examining mental health  
12 practitioner will submit a written report of that assessment and recommendations to the Board.  
13 All costs are the responsibility of the Respondent. Recommendations for treatment, therapy or  
14 counseling made as a result of the mental health examination will be instituted and followed by  
15 the Respondent.

16 If Respondent is determined to be unable to practice safely as a registered nurse,  
17 the licensed mental health care practitioner making this determination shall immediately notify  
18 the Probation Program and Respondent by telephone. Respondent shall immediately cease  
19 practice and may not resume practice until notified by the Probation Monitor. During this period  
20 of suspension, Respondent shall not engage in any practice for which a license issued by the  
21 Board is required, until the Probation Monitor has notified Respondent that a mental health  
22 determination permits Respondent to resume practice.

23 **17. THERAPY OR COUNSELING PROGRAM** - Respondent, at her expense,  
24 shall participate in an on-going counseling program until such time as the Board releases her  
25 from this requirement and only upon the recommendation of the counselor. Written progress  
26 reports from the counselor will be required at various intervals.

27 **18. VIOLATION OF PROBATION** - If a Respondent violates the conditions  
28 of her probation, the Board, after giving the Respondent notice and an opportunity to be heard,

1 may set aside the stay order and impose the stayed discipline (revocation/suspension) of the  
2 Respondent's license. If during the period of probation, an accusation or petition to revoke  
3 probation has been filed against Respondent's license, or the Attorney General's Office has been  
4 requested to prepare an accusation or petition to revoke probation against the Respondent's  
5 license, the probationary period shall automatically be extended and shall not expire until the  
6 accusation or petition has been acted upon by the Board. Upon successful completion of  
7 probation, the Respondent's license will be fully restored.

8  
9 ACCEPTANCE

10 I have carefully read the above Stipulated Settlement and Disciplinary Order and  
11 have fully discussed the terms and conditions and other matters contained therein with my  
12 attorney Gordon J. Salisbury, Esq., and I understand the effect this stipulation will have on my  
13 Registered Nurse License. I enter into this Stipulated Settlement voluntarily, knowingly and  
14 intelligently and agree to be bound by the Disciplinary Order and Decision of the Board of  
15 Registered Nursing. I further agree that a facsimile copy of this Stipulated Settlement and  
16 Disciplinary Order, including facsimile copies of signatures, may be used with the same force  
17 and effect as the originals.

18 DATED: 12-18-01

19  
20   
21 KATHLEEN ROSE RAUGUST  
22 Respondent

23 I have read and fully discussed with Respondent Kathleen Rose Raugust the terms  
24 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary

25 ///

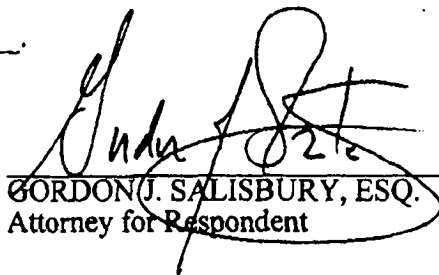
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28 ///

1 Order. I approve its form and content.

2 DATED: 12/18/01

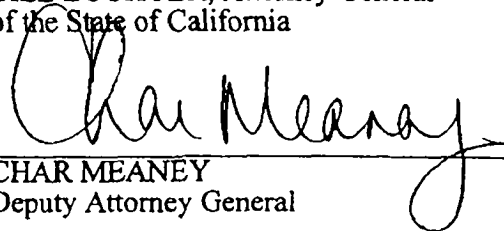
3  
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7 GORDON J. SALISBURY, ESQ.  
8 Attorney for Respondent

9 ENDORSEMENT

10 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
11 submitted for consideration by the Board of Registered Nursing of the Department of Consumer  
12 Affairs.

13 DATED: 1/10/02

14 BILL LOCKYER, Attorney General  
15 of the State of California

16   
17 CHAR MEANEY  
18 Deputy Attorney General  
19 Attorneys for Complainant





**Exhibit A:**  
**Accusation - Case No. 2002-33**

BILL LOCKYER, Attorney General  
of the State of California  
CHAR MEANEY, State Bar No. 161032  
Deputy Attorney General  
California Department of Justice  
455 Golden Gate Avenue, Suite 11000  
San Francisco, California 94102  
Telephone: (415) 703-5558  
Facsimile: (415) 703-5480

Attorneys for Complainant

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 2002-33

KATHLEEN ROSE RAUGUST  
P. O. Box 3686  
Santa Cruz, CA 95063  
Registered Nurse License No. 483750,  
Respondent.

ACCUSATION

Complainant alleges:

PARTIES

1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

2. On or about August 31, 1992, the Board of Registered Nursing ("Board") issued registered nurse license number 483750 to Kathleen Rose Raugust ("Respondent"). The license was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2002, unless renewed.

STATUTORY PROVISIONS

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a

///

1 temporary or an inactive license, for any reason provided in Article 3 (commencing with section  
2 2750) of the Nursing Practice Act.

3           4. Section 2764 of the Code provides, in pertinent part, that the expiration of a  
4 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding  
5 against the licensee or to render a decision imposing discipline on the license. Under section  
6 2811(b) of the Code, the Board may renew an expired license at any time within eight years after  
7 the expiration.

8           5. Section 2761 of the Code states, in pertinent part, that "[t]he board may take  
9 disciplinary action against a certified or licensed nurse or deny an application for a certificate or  
10 license for any of the following:

11           "(a) Unprofessional conduct . . . .

12           ". . . .

13           "(f) Conviction of a felony or of any offense substantially related to the  
14 qualifications, functions, and duties of a registered nurse, in which event the record of the  
15 conviction shall be conclusive evidence thereof.

16           6. Section 2762 of the Code states, in pertinent part, that "[i]n addition to other  
17 acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice  
18 Act], it is unprofessional conduct for a person licensed under this chapter to do any of the  
19 following:

20           "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a  
21 licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish  
22 or administer to another, any controlled substance as defined in Division 10 (commencing with  
23 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as  
24 defined in Section 4022.

25           "(b) Use any controlled substance as defined in Division 10 (commencing with  
26 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as  
27 defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or  
28 injurious to himself or herself, any other person, or the public or to the extent that such use

1 impairs his or her ability to conduct with safety to the public the practice authorized by his or her  
2 license.

3           "(c) Be convicted of a criminal offense involving the prescription, consumption,  
4 or self-administration of any of the substances described in subdivisions (a) and (b) of this  
5 section, or the possession of, or falsification of a record pertaining to, the substances described in  
6 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence  
7 thereof.

8           7. Section 490 of the Code states, in pertinent part, that "[a] board may suspend  
9 or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is  
10 substantially related to the qualifications, functions, or duties of the business or profession for  
11 which the license was issued. A conviction within the meaning of this section means a plea or  
12 verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board  
13 is permitted to take following the establishment of a conviction may be taken when the time for  
14 appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order  
15 granting probation is made suspending the imposition of sentence, irrespective of a subsequent  
16 order under the provisions of Section 1203.4 of the Penal Code."

17           8. California Code of Regulations, title 16, section 1444, states, in pertinent part:

18           "A crime or act shall be considered to be substantially related to the qualifications,  
19 functions or duties of a registered nurse if to a substantial degree it evidences present or potential  
20 unfitness of a registered nurse to perform the functions authorized by his/her license in a manner  
21 consistent with the public health, safety, or welfare. Such crimes or acts shall include but not be  
22 limited to those involving the following:

23           "....

24           "(b) Violating or attempting to violate, directly or indirectly, or assisting in or  
25 abetting the violation of, or conspiring to violate any provision or term of Chapter 6, Division 2  
26 of the Business and Professions Code."

27           9. Section 492 of the Code states, in pertinent part, that notwithstanding any other  
28 provision of law, the successful completion of any diversion program under the Penal Code or an

1 alcohol and drug problem assessment program under the Vehicle Code, shall not prohibit the  
2 Board from taking disciplinary actions against a license, notwithstanding that evidence of that  
3 misconduct may be recorded in a record pertaining to an arrest. This section shall not be  
4 construed to apply to any drug diversion program operated by any agency established under  
5 Division 2 (commencing with Section 500) of this code, or any initiative act referred to in that  
6 division.

7           10. Section 4060 of the Code states, "in pertinent part, that no person shall possess  
8 any controlled substance, except that furnished to a person upon the prescription of a physician,  
9 dentist, podiatrist, or veterinarian, or furnished pursuant to a drug order issued by a physician  
10 assistant pursuant to Section 3502.1 or a nurse practitioner pursuant to Section 2836.1.

11           11. Section 4140 of the Code states, in pertinent part, that no person shall possess  
12 or have under his or her control any hypodermic needle or syringe except when acquired in  
13 accordance with Division 2, Chapter 9, Article 9 of the Code.

14           12. Section 11173(a) of the Health and Safety Code states that "[n]o person shall  
15 obtain or attempt to obtain controlled substances, or procure or attempt to procure the  
16 administration of or prescription for controlled substances, (1) by fraud, deceit,  
17 misrepresentation, or subterfuge; or (2) by the concealment of a material fact."

18           13. Section 125.3 of the Code provides, in pertinent part, that the Board may  
19 request the administrative law judge to direct a licensee found to have committed a violation or  
20 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
21 and enforcement of the case.

22           14. Drugs

23           a. "Cocaine" is a Schedule II controlled substance as designated by Health and  
24 Safety Code section 11055(b)(6).

25           b. "Demerol," a brand of meperidine hydrochloride, a derivative of pethidine, is a  
26 Schedule II controlled substance as designated by Health and Safety Code section 11055(c)(17).

27           c. "Dilaudid," a brand of hydromorphone, is a Schedule II controlled substance as  
28 designated by Health and Safety Code section 11055(b)(1)(K).

1 d. "Heroin" is a Schedule I controlled substance as designated by Health and  
2 Safety Code section 11054(c)(11).

3 e. "Morphine" is a Schedule II controlled substance as designated by Health and  
4 Safety Code section 11055(b)(1)(M).

5 f. "Opiates" are Schedule I and II controlled substances as designated by Health  
6 and Safety Code section 11054(b) and 11055(c).

7 g. "Versed," a brand of midazolam, is a Schedule IV controlled substance as  
8 designated by Health and Safety Code section 11057(d).

9 **15. Dangerous Device**

10 "Hypodermic syringe" is a dangerous device within the meaning of Business and  
11 Professions Code section 4022 in that the device cannot be dispensed without a prescription  
12 under federal law.

13 **FIRST CAUSE FOR DISCIPLINE**

14 **(Conviction of a Crime Involving Alcohol or Drugs)**

15 16. Respondent is subject to disciplinary action under section 2761(a) of the  
16 Code on the grounds of unprofessional conduct as defined by section 2762(c) of the Code in that  
17 on or about January 8, 1999, she was convicted by the court on her plea of guilty to a violation of  
18 Vehicle Code section 23152(a) (driving under the influence of alcohol or drugs), in Santa Clara  
19 County Municipal Court, case number B9842634, entitled The People of the State of  
20 California v. Kathleen Rose Raugust. Said conviction is now final. The circumstances of the  
21 crime are that on or about November 10, 1998, in the County of Santa Clara, California,  
22 respondent drove a vehicle while under the influence of drugs, lost control of her vehicle and hit  
23 a brick wall.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Conviction of a Substantially Related Criminal Offense)**

26 17. Respondent is subject to disciplinary action under section 2761(f) of the Code  
27 in conjunction with section 490 of the Code in that on or about January 8, 1999, respondent was  
28 convicted of a crime, as set forth in paragraph 17 above, which is substantially related to the

1 qualifications, functions, or duties of a registered nurse, as defined by Title 16, California Code  
2 of Regulations, section 1444, subdivision (b).

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Obtaining, Possessing, and Self Administering a Controlled Substance,  
5 Dangerous Drug, or Device)**

6 18. Respondent is subject to disciplinary action under section 2761(a) of the  
7 Code on the grounds of unprofessional conduct as defined by section 2762(a) of the Code, in the  
8 following respects:

9 a. Between the approximate period of August 1997 to June 1998, while on duty as  
10 a registered nurse in the Emergency Room at Columbia Good Samaritan Hospital in San Jose  
11 California, respondent obtained an unknown quantity of Versed, Morphine, Dilaudid, and  
12 Demerol, by fraud, deceit, misrepresentation, subterfuge, or by concealment of a material fact in  
13 violation of section 11173(a) of the Health and Safety Code, by unlawfully taking the drugs from  
14 the hospital supply for her own use;

15 b. Between the approximate period of August 1997 to June 1998, while employed  
16 as a registered nurse in the Emergency Room at Columbia Good Samaritan Hospital in San Jose  
17 California, respondent self-administered an unknown quantity of Versed, Morphine, Dilaudid,  
18 and Demerol that she took from the hospital supply without direction from a licensed physician  
19 and surgeon, dentist, or podiatrist;

20 c. On November 9, 1998, in the County Santa Cruz, California, respondent had a  
21 hypodermic needle in her possession, a violation of section 4140 of the Code.

22 **FOURTH CAUSE FOR DISCIPLINE**

23 **(Using a Controlled Substance, Dangerous Drug, or Alcoholic Beverage to a  
24 Dangerous Extent)**

25 19. Respondent is subject to disciplinary action under section 2761(a) of the  
26 Code on the grounds of unprofessional conduct, as defined by section 2762(b) of the Code, in  
27 that between the approximate period of August 1997 to February 1999, she used alcohol,  
28 Opiates, Heroin, Cocaine, and/or "Crack Cocaine" to an extent or in a manner dangerous or

1 injurious to herself or others, as evidenced by the following:

2 a. Between the approximate period of August 1997 to June 1998, while employed  
3 as a registered nurse in the Emergency Room at Columbia Good Samaritan Hospital in San Jose  
4 California, she (by her own admission) was unable to properly perform her nursing duties due to  
5 her drug use;

6 b. From April 15, 1998 to April 19, 1998, on an emergency intervention by her  
7 brother and roommate, she was hospitalized at Good Samaritan Hospital in San Jose, California,  
8 for alcohol and narcotic/opiate withdrawals, and Cocaine dependency;

9 c. Between April 1998 through February 1999, she attended various drug  
10 treatment programs and received therapy for her chemical dependency problem, but she was  
11 unable to complete the treatment programs, including the Board's diversion program, due to her  
12 addiction to alcohol, Opiates, Heroin, Cocaine, and/or Crack Cocaine;

13 d. On or about November 9, 1998, in Santa Cruz County, California, she was  
14 arrested for being under the influence of Heroin which lead to a subsequent placement in a court-  
15 ordered diversion program;

16 e. On or about November 9, 1998, she had injection/puncture wounds on both of  
17 her arms from long term use of hypodermic syringes/needles;

18 f. On or about November 10, 1998, in Santa Clara County, California, while  
19 under the influence of drugs, she lost control of her vehicle and ran into a brick wall;

20 g. On or about February 20, 1999, she went into a rage at Longs Drug Store in  
21 Salinas, California, where she was observed drinking hydrogen peroxide from a bottle. When  
22 respondent was confronted by Longs Drug Store's employees, she acted bizarre, grabbed a broom  
23 and backed the employees off with the broom and ran out of the store barefoot. Subsequently,  
24 the City of Salinas Police Department was dispatched to Longs Drug Store. The police officers  
25 caught up with respondent and observed respondent running in circles, disoriented and unable to  
26 care for herself. Respondent was transported to Natividad Medical Center in Salinas, California  
27 where she was placed on a 5150 hold (Welf. & Inst. Code § 5150);

28 h. On or about February 24, 1999, respondent was discharged from Natividad



1 Medical Center in Salinas, California, with a diagnosis of Cocaine-induced mood disorder.

2 i. On or about May 30, 2000, respondent admitted to her therapist that she had  
3 used drugs for two days in April, and got away with it.

4 **DISCIPLINE CONSIDERATIONS**

5 20. To determine the degree of discipline, if any, to be imposed on respondent,  
6 complainant alleges that, prior to being licensed as a registered nurse, respondent was convicted  
7 of the following crimes:

8 a. On or about March 9, 1987, she was convicted by the court for a violation of  
9 Vehicle Code section 23152(b) (driving a vehicle with 0.08 percent or more blood alcohol  
10 content on February 13, 1987), in San Joaquin County Municipal Court, case number 35036M.

11 b. On or about March 15, 1989, she was convicted by the court for a violation  
12 Vehicle Code section 23152(a) (driving under the influence of alcohol or drugs on December 11,  
13 1989), in Sacramento County Municipal Court, case number 90T00018.

14 c. On or about July 23, 1990, she was convicted by the court for violating Vehicle  
15 Code sections 21367(c) (failure to observe roadside closure on December 6, 1989) and 40508(a)  
16 (failure to appear), in Sacramento County Municipal Court, Elk Grove Branch, case number  
17 EG78728.

18 **PRAYER**

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
20 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

21 1. Revoking or suspending registered nurse license number 483750, issued to  
22 Kathleen Rose Raugust;

23 2. Ordering Kathleen Rose Raugust to pay the Board of Registered Nursing the  
24 reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3 of  
25 the Code;

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3. Taking such other and further action as deemed necessary and proper.

DATED: 5/29/01

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
  
Complainant

This certifies that this is a true and correct copy of  
records on file in this office pertaining to:

KATHLEEN ROSE RAUGUST  
BOARD OF REGISTERED NURSING,

  
Letisia Castillo

Enforceable by Registrar 0528